

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CELINE G. SUCHANEK,

Civil No. 07-4656 (JMR/JJG)

Plaintiff,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge (Doc. No. 16). No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Summary Judgment is **DENIED**; [Doc. No. 8];
2. Defendant's Motion for Summary Judgment [Doc. No. 14] is **DENIED**; and
3. The matter is **REMANDED** to the Commissioner for further proceedings consistent with this Report and Recommendation.

Dated: December 4, 2008

s/James M. Rosenbaum
JAMES M. ROSENBAUM
United States District Judge